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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/070,315	06/10/2002	Roy William Lock	4559-003	2888

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EXAMINER

LA, ANH V

ART UNIT	PAPER NUMBER
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2636

DATE MAILED: 12/17/2003

9

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/070,315

Applicant(s)

LOCK, ROY WILLIAM

Examiner

Anh V La

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 June 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 8.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4, 9-11, 13-17, 22-24, and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Horsch (US 4,884,072).

Regarding claims 1, 14, Horsch discloses an image recording apparatus/method suitable for recording traffic signal violations comprising means for capturing a first image 26, 28 substantially at an instant of time that a control signal 16 changes its status, means for storing the first image at least temporarily (column 4, lines 45-60), means 22, 24 for detecting presence of a vehicle or object beyond a location at which the vehicle or object is required to stop in response to the change in status and means responsive to the detecting means for recording the first image in the event that the detecting means detects presence of the vehicle or object beyond the location (col. 1, lines 5-30, col. 4, lines 30-60).

Regarding claims 2, 15, Horsch discloses means for capturing a second image after a preset time delay following the instant of time (col. 5, lines 1-5).

Regarding claims 3, 16, Horsch discloses means for capturing a second image in response to the detecting means 22, 24.

Regarding claims 4, 17, Horsch discloses the change in status including a traffic light signal changing to a red light (col. 4, lines 45-60).

Regarding claims 9, 22, Horsch discloses the first image showing at least the position of the vehicle or object relative to the location (col. 1, lines 5-30, col. 4, lines 30-60).

Regarding claims 10, 23, Horsch discloses an inductive loop set below a road surface (col. 4, lines 35-40).

Regarding claims 11, 24, Horsch discloses a stop line 18 marked on a roadway.

Regarding claims 13, 26, Horsch discloses an intersection of two or more roads (fig. 1).

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 5, 8, 18, 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Horsch in view of Glier.

Regarding claims 5, 8, 18, 21, Horsch discloses all the claimed subject matter as set forth above in the rejection of claim 1, but does not disclose a digital camera (claims 5, 18) and deleting means (claims 8, 21). Glier teaches the use of a digital camera (col. 3, lines 60-65) and deleting means (figure 20, col. 21, lines 35-50). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include a digital camera and deleting means to the apparatus/method of Horsch as taught by Glier for the purpose of effectively capturing images and deleting the images

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in the event that the detecting means does not detect presence of the vehicle or object beyond the location.

5. Claims 6, 12, 19, 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Horsch in view of Ryzin.

Regarding claims 6, 12, 19, 25, Horsch discloses all the claimed subject matter as set forth above in the rejection of claim 1, but does not disclose a volatile memory (claims 6, 19) and a wide angle image (claim 12, 25). Ryzin discloses the use of a volatile memory (col. 2, lines 55-65) and a wide angle image 20. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include a volatile memory and a wide angle image to the apparatus/method of Horsch as taught by Ryzin for the purpose of storing information and providing an accurate image.

6. Claims 7 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Horsch in view of Johnson.

Regarding claims 7 and 20, Horsch discloses all the claimed subject matter as set forth above in the rejection of claim 1, but does not disclose WORM type media. Johnson teaches the use of WORM type media (abstract, col. 1, lines 5-10, col. 32, lines 30-35). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include WORM type media to the apparatus/method of Horsch as taught by Johnson for the purpose of effectively recording information.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh V La whose telephone number is (703) 305-3967. The examiner can normally be reached on Mon-Fri from 9:30am to 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffery Hofsass can be reached on (703) 305-4717. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.



Anh V La
Primary Examiner
Art Unit 2636

AI
December 10, 2003